

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Petition for Rulemaking to Establish a Low)	RM-11287
Power AM Radio Service)	
)	
)	
)	

COMMENTS OF MINORITY BROADCASTERS, INC.

Minority Broadcasters, Inc. (“MBI”)¹ submits these comments in response to the Commission’s *Public Notice*² seeking comment on a Petition for Rulemaking to Establish a Low Power AM Radio Service filed on behalf of five (5) different parties and docketed of record on August 23, 2005. For convenience of reference the petitioners will be referred to collectively at the “Amherst Alliance”.

For the reasons set forth below, MBI strongly opposes any rulemaking regarding the establishment of a low power AM radio service. MBI believes that additional “clutter” on the AM dial by the establishment of low power AM radio service will serve only to diminish the reception of any AM broadcast signals by the listening public, and will, in circumstances such as MBI faces on in a crowded AM broadcast market rife with pirate broadcasters, result in further interference of traditional authorized AM facilities. MBI already faces interference to its AM station from other AM facilities located in foreign countries (i.e. Cuba and the Dominican Republic) that are broadcasting on the same channel or immediately adjacent channels to MBI with power levels in excess of those registered with the ITU. The addition of any additional facilities, particularly in a crowded urban setting such as the Miami-Fort Lauderdale market, home to the most numerous number of pirate broadcasters in the U.S., will only further add to the cacophony of noise currently found on the AM side of the dial and will diminish the Commission’s well intentioned efforts to restore the AM broadcast service to a viable commercial service (i.e. the IBOC/HD Radio digital conversion proceedings). MBI has made significant investment in its AM broadcasting facility and addition of low power AM stations would serve only to diminish the improvements made by MBI.

Apart from the issues set forth above, MBI also has issues with the content of the proposal and the requested relief or “key principles” of the Amherst Alliance petition. Notably, the petition does NOT offer or suggest any form of technical

¹ MBI is an FCC licensee of AM broadcasting station WOCN, located in Miami, Florida.

² *Public Notice* Report No. 2735 released October 21, 2005 (“*Public Notice*”).

standards for this purported LP AM service, in all likelihood because no such technical standards could be advanced without serious interference issues both for daytime and nighttime signals. Furthermore, the “key principles” endorsed by the petitioners seem, taken collectively, to support the endorsement of the FCC for pirate broadcasting with the imprimatur of official sanctioning by the Commission. For example, the key principles endorse (1) freedom to air commercial advertising; (2) exemption from the auction procedures; (3) available to individuals and entrepreneurs, (4) exclusion of any established broadcasters, (5) credit for programming regardless of prior community service and (6) establishment in urban areas. Taken as a whole, these principles clearly suggest a blueprint for officially sanctioned “pirate” broadcasting, where these LP AM facilities could compete for advertising dollars with traditional broadcasters, but not be held to the same standards and obligations of such broadcasters.

While the establishment of additional broadcast service for underserved communities is a laudable goal, the establishment of an LP AM service (after all the efforts and strides the Commission has made towards making traditional AM service viable again through proceedings such as the IBOC/HD Radio and other technical improvements) is a remarkable BAD idea which should be discarded immediately, particularly where, as here, the proposed implementation of the service (in urban areas) is exactly where the AM service is most significantly challenged already. AM Radio was an invaluable service to the local citizens during the recent Hurricane Wilma, providing news and information to the community which had (and some of which continues to have) no electrical service and no cable or satellite television service. Additional LP AM service in such a congested urban environment, which already has foreign and pirate interference issues, will make traditional AM Broadcasting significantly more difficult and reduce the effectiveness of such traditional broadcasters in times of local emergency, when their programming is most needed.

In conclusion, MBI recommends that the Commission reject the requested Petition for Rulemaking and continue its ongoing efforts to restore AM broadcasting to a viable service.

RESPECTFULLY SUBMITTED,

MINORITY BROADCASTERS, INC.
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